

**Notice of Allowability**

Application No.

10/773,067

Applicant(s)

BEARY ET AL.

Examiner

Art Unit

Robert P. Swiatek

3643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11 April 2006.
2. ☒ The allowed claim(s) is/are 11-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Robert P. Swiatek*  
**ROBERT P. SWIATEK**  
**PRIMARY EXAMINER**  
**ART UNIT 3643**

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: The claims in this application have been allowed because the prior art does not disclose a system for use in determining the position of a selected location, the system including an optical detector positioned within an illumination region in a known relation with the selected location, the optical detector operable to detect illumination by a deflected coherent light beam when the beam is deflected by a bi-directional acousto-optic modulator in a direction corresponding to one of a plurality of illumination locations coinciding with the position of the optical detector, with the information relating to the position of the optical detector being determinable from information relating the direction of the coherent light beam from the bi-directional acousto-optic modulator when the detector is illuminated by the deflected light beam. A method for determining the position of a selected location employing generation of a coherent light beam, operation of a bi-directional acousto-optic modulator to deflect the light beam in a plurality of directions, positioning of an optical detector within an illumination region, detection of illumination from the light beam when it is deflected by the modulator, and determination of information relating to the position of the detector from data relating to the direction of the coherent light beam, all as set forth in instant claim 20, also was not disclosed by the prior art. Cited references include a method for illuminating an object with light from a laser light source; an optical distance measurement device and method involving scanning of a target using light

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emanating from an acousto-optical deflector; and a device for image transmission using linked scanners.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

This case is being passed to issue with allowed claims 11-26, renumbered as claims 1-16.

RPS: 571/272-6894

2 May 2006



ROBERT P. SWIATEK  
PRIMARY EXAMINER  
ART UNIT ~~322~~ 3643